

# WISCONSIN ELECTIONS COMMISSION

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## MEMORANDUM

**TO:** Wisconsin Municipal Clerks  
City of Milwaukee Election Commission  
Wisconsin County Clerks  
Milwaukee County Election Commission

**FROM:** Richard Rydecki  
Elections Supervisor  
Wisconsin Elections Commission

**DATE:** March 12, 2018

**SUBJECT:** Requirement for Municipal Clerks to be Available on Thursday and Friday, March 29 and March 30, 2018 for **statutory deadlines** occurring on those days

As in other years when the Thursday and Friday before the Spring Election fall on Maundy Thursday and Good Friday, the Wisconsin Elections Commission Staff (WEC), is again fielding calls from municipal clerks relating to whether a municipal clerk is required be in his or her office on those days and, if so, for how long.

The absentee voting statutes provide no exemption from or postponement for deadlines occurring on the Thursday or Friday before the Spring Election that are not recognized as State holidays, regardless of their relationship to religious observances. The deadlines and respective descriptions are listed below, followed by an explanation of clerks' responsibilities. Please consider these statutory deadlines when planning staffing needs during this period.

**\* \* \* SPECIAL NOTE TO CLERK'S WITHOUT REGULAR OFFICE HOURS \* \* \***

If the clerk does not have regular office hours, the clerk or a deputy appointed by the clerk, must be available to perform the duties related to statutory deadlines on these days. This information must be communicated to voters, i.e. changing your outgoing phone message, by posting, and/or by using the media. A sign should be placed on the door of the building containing your office indicating how the clerk or a deputy can be reached until 5 pm on Thursday and Friday.

### Deadlines on the 5th day before an election (generally, **Thursday**), 5 pm:

- Deadline for voters (except for military, indefinitely-confined, hospitalized voters and sequestered jurors) to request an absentee ballot and the last day a municipal clerk can fax, email or mail an absentee ballot to electors.

- Deadline for voters (except for military, indefinitely-confined, hospitalized, and sequestered jurors) to spoil an absentee ballot and request another be sent to them by mail, fax or email (requests to spoil can be made by fax, email or email).
- Last day (except for military, indefinitely-confined, hospitalized, and sequestered jurors) a municipal clerk may mail, fax or email an absentee ballot to an elector.

Deadlines on the 4th day before an election (generally, **Friday**), 5 pm:

- Deadline for military voters and indefinitely-confined voters to *spoil an absentee ballot* and request that another ballot be mailed, faxed or emailed to them. Wis. Stat. §6.86(1)(c). (2) The request can be made by electronic means or in person.
- Deadline for military voters and indefinitely-confined voters to request an absentee ballot be mailed, faxed or emailed to them.
- Deadline for any absentee voters to spoil a ballot in person in the clerk's office and vote.
- Deadline for voters to register to vote in person. If the clerk has noticed that he or she will not have absentee voting hours on Friday, but a person registering to vote in person then wishes to vote, please accommodate the voter.
- Noon: Deadline for persons wishing to register as write-in candidates for the April Election to file a Campaign Registration Statement with the clerk.

Requirements for Mail Deadlines: The clerk (or a deputy appointed by the clerk) must check the mail and electronic devices (fax, email or WisVote-for MyVote users at the last possible delivery times on Thursday and Friday to ensure that all absentee ballot requests are honored by mailing, faxing or emailing ballots within one business day of receipt of absentee requests.

Requirements for In-Person Deadlines: The clerk's office must be open or the clerk (or a deputy appointed by the clerk) must be available for the absentee-associated duties listed above, as well as for voter registration until 5 pm on Friday. Since the clerk must be available for these duties, if someone wants to vote absentee in person, the clerk should accommodate that request.

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**ABSENTEE DEADLINES – ELECTION DAY**

- Hospitalized electors may register to vote and/or apply for an absentee ballot, by agent, up to 5 pm. Wis. Stat. §6.86(3)(c).
- • Sequestered jurors may apply for an absentee ballot no later than 5 pm. Wis. Stat. §6.86(1)(b).

Requirement: Be familiar with procedures and be available throughout Election Day to accommodate these voters.

If you have questions, please contact the Help Desk at 608-261-2028 or elections@wi.gov